



**BILLING CODE: 5001-06**

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**Reestablishment of Department of Defense Federal Advisory Committees**

**AGENCY:** DoD.

**ACTION:** Reestablishment of Federal Advisory Committee.

**SUMMARY:** Under the provisions of 10 U.S.C. § 2166(e), the Federal Advisory Committee Act of 1972 (5 U.S.C. Appendix), the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b), and 41 CFR § 102-3.50(a), the Department of Defense gives notice that it is reestablishing the charter for the Board of Visitors, National Defense University (hereafter referred to as “the Board”).

The Board shall provide independent advice and recommendations on the overall management and governance of the National Defense University in achieving its mission.

The Board shall report to the Deputy Secretary of Defense and Secretary of Defense through the Chairman of the Joint Chiefs of Staff and the President of the National Defense University. The Chairman of the Joint Chiefs of Staff may act upon the Board’s advice and recommendations.

The Board shall be comprised of no more than twelve members, who are appointed by the Secretary of Defense. The members are eminent authorities in the fields of defense, management, leadership, academia, national military strategy or joint planning at all levels of war, joint doctrine, joint command and control, or joint requirements and development.

The Secretary of Defense may approve the appointment of Board members for one to four year terms of service, with annual renewals; however, no member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service. This same term of service

limitation also applies to any DoD authorized subcommittees. Board members appointed by the Secretary of Defense, who are not full-time or permanent part-time federal employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109, and to serve as special government employees. In addition, all Board members, with the exception of travel and per diem for official travel, shall serve without compensation. Each Board member is appointed to provide advice on behalf of the government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

The Board Membership shall present recommendations for the Board's Chairperson and the Co-Chairperson from the total Board membership to the Chairman of the Joint Chiefs of Staff, and these individuals shall serve at the discretion of the Secretary of Defense. The Chairman of the Joint Chiefs of Staff may invite other distinguished Government officers to serve as non-voting observers of the Board. In addition, the Chairman of the Joint Chiefs of Staff may appoint consultants, with special expertise, to assist the Board on an ad hoc basis, who shall be, if approved by the Secretary of Defense, appointed under the authority of 5 U.S.C. § 3109.

Neither the non-voting observers nor the experts/consultants shall have voting rights on the Board or its subcommittees, shall count toward the Board's total membership, and shall engage in Board deliberations.

The Department, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task groups, or working groups to support the Board. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Board's sponsor.

These subcommittees shall not work independently of the chartered Board and shall report all of their recommendations and advice to the Board for full deliberation and discussion.

Subcommittees have no authority to make decisions on behalf of the chartered Board nor can any subcommittee or any of its members update or report directly to the Department of Defense or to any Federal officers or employees.

All subcommittee members shall be appointed in the same manner as the Board members; that is, the Secretary of Defense shall appoint subcommittee members even if the member in question is already a Board member. Subcommittee members, with the approval of the Secretary of Defense, may serve a term of service on the subcommittee of one to four years; however, no member shall serve more than two consecutive terms of service on the subcommittee. Such individuals shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109, and serve as special government employees, whose appointments must be renewed by the Secretary of Defense on an annual basis. With the exception of travel and per diem for official travel, subcommittee members shall serve without compensation.

All subcommittees operate under the provisions of FACA, the Government in the Sunshine Act, governing Federal statutes and regulations, and governing DoD policies/procedures.

**FOR FURTHER INFORMATION CONTACT:** Jim Freeman, Deputy Advisory Committee Management Officer for the Department of Defense, 703-692-5952.

**SUPPLEMENTARY INFORMATION:** The Board shall meet at the call of the Designated Federal Officer, in consultation with the Board's Chairperson. The estimated number of Board meetings is two per year.

In addition, the Designated Federal Officer is required to be in attendance at all Board and subcommittee meetings for the entire duration of each and every meeting; however, in the

absence of the Designated Federal Officer, the Alternate Designated Federal Officer shall attend the entire duration of the Board or subcommittee meeting.

Pursuant to 41 CFR §§ 102-3.105(j) and 102-3.140, the public or interested organizations may submit written statements to the Board membership about the Board's mission and functions.

Written statements may be submitted at any time or in response to the stated agenda of planned meeting of the Board.

All written statements shall be submitted to the Designated Federal Officer, and this individual will ensure that the written statements are provided to the membership for their consideration.

Contact information for the Board's Designated Federal Officer can be obtained from the GSA's FACA Database – <https://www.fido.gov/facadatabase/public.asp>.

The Designated Federal Officer, pursuant to 41 CFR § 102-3.150, will announce planned meetings of the Board. The Designated Federal Officer, at that time, may provide additional guidance on the submission of written statements that are in response to the stated agenda for the planned meeting in question.

Dated: August 27, 2012.

Aaron Siegel,  
Alternate OSD Federal Register Liaison Officer,  
Department of Defense.

[FR Doc. 2012-21418 Filed 08/29/2012 at 8:45 am; Publication Date: 08/30/2012]